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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,806	07/14/2003	Mark Roby	2910	5794
75	90 04/05/2006		EXAM	INER
TYCO HEALTHCARE GROUP LP			RICCI, JOHN A	
150 GLOVER AVENUE NORWALK, CT 06856			ART UNIT	PAPER NUMBER
,			3711	
			DATE MAILED: 04/05/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, PROM THE MAILING DATE OF THIS COMMUNICATION.  Extentions of union may be enabled under the provided of 30° PR1 1306, in no event, however, may a may be timely filled.  If INO period for reply is appelled above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the mailing date of this communication.  Feature to reply will with set or desented period for righy will. by statute, cause he application be been abstracting (50 U.S.C. § 113).  Feature to reply will him set or desented period for righy will. by statute, cause he application become abstraction (50 U.S.C. § 113).  Feature to reply will him set or desented period for righy will. by statute, cause he application for second abstraction and plustment. Set 37 CFR 1.704(p).  Status  Status  1) Responsive to communication(s) filed on 96 January 2006.  2a) This action is FINAL. 2b) This action is non-final.  3) Is not this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-18 is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  5) Claim(s) is/are allowed.  5) Claim(s) is/are allowed.  5) Claim(s) is/are allowed.  6) Claim(s) 1-18 is/are rejected to.  8) Claim(s) 1-18 is/are rejected to.  8) Claim(s) 1-18 is/are rejected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) because the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) because the set of the priority documents have been received in Application No.  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Actio		Application No.	Applicant(s)			
John Ricci  John Richi  John Ricci  John Richi  John		10/618,806	ROBY ET AL.			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address ~ Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Esterson of time may be available under the provisions of 37 CFR 1.186; in no event, however, may really be timery lifed.  It NO period for reply is appointed above, the maintain studiory parted will apply and will easily SIX (8) MONTH'S from the mailing date of this communication.  Failure to reply indicated period for reply its parted, cause the application to become ABMONDED (50 LS. € 133).  Any reply inclowed by the Office later than three morths after the mailing date of this communication, even if the reply lifed, may reduce any severed period for the opening of the communication and the property of this communication, even if the property is sufficient to the communication and the property of this communication, even if the property is sufficient to the property of the property	Office Action Summary	Examiner	Art Unit			
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Eletations of time may be available under the provision of 37 CFR 1.13(6). In no event, however, may a reply be timely filed after SIX (8) MCDTHS from the mailing date of this communication of 37 CFR 1.13(6). In no event, however, may a reply be timely filed after SIX (8) MCDTHS from the mailing date of this communication of 37 CFR 1.13(6). In part of the communication of 18 CFR 1.73(6).  Failus to received by the Office later than these months after the maling date of this communication, even if smelly filed, may reduce any seared patent than adjustment. Sea 37 CFR 1.73(6).  Status  1) Responsive to communication(s) filed on 96 January 2006.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-18 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) 1-18 is/are rejected.  7) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. Sea 37 CFR 1.55(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. Sea 37 CFR 1.121(d).  11) The ooth or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some *c) Mone of:  1 Certified copies of the priority documents have been received.  2 Certified copies of the priority documents have been received in Appli	The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address			
1) Responsive to communication(s) filed on <u>06 January 2006</u> .  2a) This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) <u>1-18</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) <u>1-18</u> is/are rejected.  7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) Copies of the certified copies of the priority documents have been received in Application No  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.	<ul> <li>WHICHEVER IS LONGER, FROM THE MAILING DA</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If NO period for reply is specified above, the maximum statutory period w</li> <li>Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing</li> </ul>	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tirr rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	I. tely filed the mailing date of this communication. (35 U.S.C. § 133).			
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Application/Control Number: 10/618,806

Art Unit: 3711

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scirica et al 5,733,293 in view of Brewer 4,928,830.

Scirica shows a package for a needle and Suture (figure 3A), including a base portion 66, cover 68, a needle park, a rail 74 defining a suture race 70, and an aperture 72 for passage of the suture. The cover is retained by tabs 76, and is completely removable; this has the disadvantage that the cover may be lost or misplaced. One would recognize that it would be desirable to attach the cover to the base so the cover cannot be lost. For example, Brewer shows that a container for medical equipment may have a base 22, and a cover 24 attached to the base by means of a living hinge 26 (figure 2). This would be desirable in the suture package of Scirica to prevent the cover from being lost. It would have been obvious to one of ordinary skill in the art to attach the base and cover of Scirica by a living hinge, as suggested by Brewer.

\* \* \* \* \* \*

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in  $37 \ \text{CFR}$  1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the

Application/Control Number:

10/618,806

Art Unit: 3711

advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

\* \* \* \* \* \*

This letter was prepared by Examiner John Ricci, who can be reached at:

Voice: 571-272-4429

Fax: Use 571-273-8300 for papers to be delivered directly to the mail room, like formal amendments and responses, change of address, power of attorney, petitions.

Art Unit: 3711

Page 4

Use 703-783-0439 for papers to be delivered directly to the Examiner, like informal or proposed responses for discussion, or notes in preparation for an interview.

Response by Fax is encouraged to reduce mail processing time. Please don't send duplicate papers by mail and Fax.

PTO main switchboard: 800-786-9199.

Visit our Web site at www.uspto.gov.

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JOHN RICCI PRIMARY EXAMINER ART UNIT 3711